

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN DIVISION

United States District Court
Southern District of Texas
FILED

JUL 18 2013

UNITED STATES OF AMERICA

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David J. Bradley, Clerk

v.

Criminal No. M-13-0070-S2-05

FERNANDO GUERRA, SR.

NOTICE OF PLEA AGREEMENT

COMES NOW the United States of America, hereinafter referred to as "the Government," by and through its United States Attorney for the Southern District of Texas and its Assistant United States Attorney assigned to this matter, and would respectfully show the Court that the Government and the Defendant have entered into the following plea agreement:

1. Defendant agrees to plead guilty to Count One of the Indictment.
2. Defendant agrees to forfeit:
 - a. 1002 Sunrise Street, Edinburg, Texas; legally described as Lot Two (2), Vista Bonita Subdivision No. 10, Hidalgo County, Texas, according to the map thereof recorded in Volume 33, Page 50, Map Records of Hidalgo County, Texas; and
 - b. NN FM 1017, Edinburg, Texas; legally described as Fountain 19.88 AC-W580.07' LOT 45 19.20 AC Net to include an undivided ½ interest of any and all mineral interests presently held by Grantor; and
 - c. Rural Ranch on CR 15 in Willacy County, Texas; legally described as the East Twenty Acres [E. 20 AC.] of lot Nine [9], Block Fourteen [14], Missouri-Texas Land and Irrigation Company's Subdivision, Willacy County, Texas, according to Map thereof recorded in Volume 1, Page 29, Map Records, Hidalgo County, Texas, and being the same property conveyed to Ralph Christian by Deed recorded in Volume 54, Page 506, Deed Records, Willacy County, Texas; and
 - d. All of Lot 401, BRENDA RANCHETTES, Hidalgo County, Texas, according to the map recorded in Volume 39, Page 60, Map Records, Hidalgo County, Texas; and
 - e. Lot Eighty-Three (83), VICTORIA HEIGHTS SUBDIVISION PHASE III, an addition to the City of Edinburg, Hidalgo County, Texas, according to map thereof recorded in Volume 40, Pages 45 and 46, Map Records of Hidalgo County, Texas.

2. The Government will recommend:
 - a. that the offense level decrease by 2 levels pursuant to U.S.S.G. § 3E1.1(a) if the defendant clearly demonstrates acceptance of responsibility; and
 - b. that the remaining counts of the indictment be dismissed at the time of sentencing.

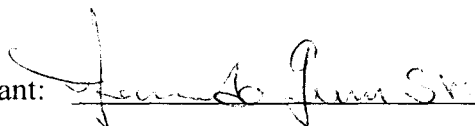
If the Defendant is not a citizen of the United States of America, a plea of guilty may result in deportation, exclusion from admission into the United States of America, or the denial of naturalization.

This document states the complete and only Plea Agreement between the United States of America and the Defendant, and is binding only on the parties to this Agreement, and it supersedes all prior understandings, if any, whether written or oral, and cannot be modified other than in writing and signed by all parties or on the record in Court. No other promises or inducements have been or will be made to the Defendant in connection with this case, nor have any promises or threats been made in connection with this plea.

ACKNOWLEDGMENTS:

I have read this agreement and carefully reviewed every part of it with my attorney. If I have difficulty understanding the English language, I have had a person fluent in the Spanish language interpret this agreement to me.

Date: 7/18/13

Defendant: 

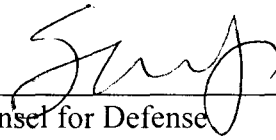
I am the Defendant's counsel. I have carefully reviewed every part of this agreement with the Defendant. I certify that this agreement has been translated to my client by a person fluent in

the Spanish language if my client is unable to read or has difficulty understanding the English language.

Date:

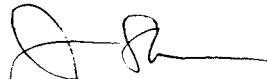
7/18/13

Counsel for Defense



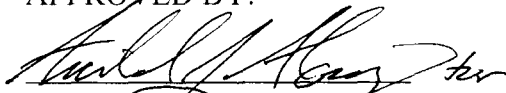
For the United States of America:

KENNETH MAGIDSON
United States Attorney



JAMES STURGIS
Assistant United States Attorney

APPROVED BY:



JON MUSCHENHEIM
Assistant Deputy Chief
South Texas OCDEF